7254083/2023/VIG-IV-REV01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVANTS – Prohibition & Excise Department – Allegations of Criminal Misconduct and Criminal conspiracy against Sri Ch.Tirupathi Naidu, P&E Inspector, Ranasthalam and (9) other P&E officials for their involvement in the Liquor Syndicate case of Srikakulam District – Accused Officer placed on their defence before the Tribunal for Disciplinary Proceedings – TDP framed charges - TDP Repealed - Case entrusted to Commissionerate of Inquiries – Sri R.P.Thakur, IPS(Retd), Member, Commissioner of Inquiries - Appointed as Inquiring Authority - Orders – Issued.

REVENUE (VIGILANCE-IV) DEPARTMENT

G.O.Rt.No.367 Dated:17.04.2023
Read the following:-

1. From the DG, ACB, Lr.Rc.No.11/RCO-VSK/2012, Dated:10-10-2012
2. Govt. Memo.No.46423/VIG.IV(2)/2012-1, dated:16-01-2013.
3. Govt. Memo.No.46423/VIG.IV(2)/2012-1, dated:03-06-2013.
4. G.O.Rt.No.1320 Revenue (Vig.IV) Department, dated: 19.09.2018.
5. G.O.Rt.No. 75, Revenue (Vig.IV) Department, dated:02.02.2022.
6. G.O.Rt.No. 263, Revenue (Vig.IV) Department, dated:18.04.2022.
7. Act 29 of 2022 to repeal the Andhra Pradesh civil services (Disciplinary Proceedings Tribunal) Act, 1960 and to provide for matters connected therewith or incidental thereto published in AP Gazette, Part-IV-B Extrordinary No.29, Amaravati, dt:22.12.2022.
8. G.O.Ms.No.98, G.A.(Ser.E) Department, dt:18.08.2022.
9. U.O.Note.No.1878240/GAD/COI-R/2022-8,GA(COI)Dept., dt:29.11.2022.

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O R D E R:

Whereas the Director, Anti Corruption Bureau in his (final report) Lr.Rc.No.11/RCO-VSK/2012, Dated:10-10-2012 (Cr.No.01/RCO-ACB-VZM/2012) vide reference 1st read above, in respect of Srikakulam District Liquor Syndicate case, reported that on the allegations of criminal misconduct and criminal conspiracy against Sri Ch. Tirupathi Naidu, P&E Inspector, Ranasthalam and 12 other P&E officials recommended to place them on their defense before TDP. After following due procedure, the Government have entrusted their case to TDP. The TDP has framed charges against charged officers.

2. And whereas Sri D. Badrinath, P&E Supdt., Srikakulam (Retired on 30.06.2013) was involved in this case and the Government entrusted his case to TDP. During the case is pending with TDP, he died on 04.01.2018. After examining the issue, the Government have issued abating further action against him vide reference 4th read above.

3. Whereas Sri M. Satyanarayan, Assiatnt P&E Commissioner, Srikakulam District (TEC No. 203/2013) filed WP.No.3637 of 2020 before the Hon'ble High Court challenging the charge memo issued against him and the Hon'ble High Court has quashed the charge memo issued by the TDP in TEC No. 203 of 2013 dated 07.02.2018 and stated that the petitioner is entitled to all consequential pensionary and other retirement benefits.

4. Government after careful examination of the matter, implemented the orders dated 29.05.2020 in W.P.No. 3637 of 2020 of Hon'ble High Court and sanctioned all consequential pensioner and other retirement benefits to Mendu Satyanarayana, Retired Proh. & Excise Joint Commissioner vide reference 5th read above.

(P.T.O)

5. Whereas Sri E. Krishna, P&E Sub-Inspector, Ranassthalam, Srikakulam district (TEC No.211/2013) (Retired on 31.12.2019) was filed WP.No. 5259 of 2021 challenging the charge memo before the Hon'ble High Court and the Hon'ble High Court has passed the orders dated 08.03.2021 directing the respondents to conclude the enquiry pending against the petitioner, within a period of three months from the date of receipt of a copy of this order, failing which the Tribunal Enquiry Case No.211 of 2013, dated 07.02.2018, shall stand quashed. The above charged officer also filed W.P.No.25932 of 2021 for pensionary benefits and the Hon'ble High Court has passed orders dated 28.12.2021 directing to release all the pensionary benefits i.e. Full Pension, Retirement Gratuity, Encashment of Earned Leave and other benefits payable to the petitioner together with interest @ 12% from the date they became due by operation of the orders in W.P.No.5259 of 2021, till the date of payment.

6. And whereas, the Government after examining the matter, have implemented the orders passed by the Hon'ble High Court dated 08.03.2021 in W.P.No.5259 of 2021 and in pursuance of the orders dated 28.12.2021 in W.P.No.25932 of 2021 passed by the Hon'ble High Court, have sanctioned all the pensionary benefits to Sri E. Krishna, P&E Sub-Inspector (Retired on 31.12.2019) vide reference 6th read above.

7. Whereas certain charged officers have filed writ petitions before the Hon'ble High Court challenging the charge memos issued against them and same are pending with the Hon'ble High Court. In this regard, the Government Pleader for Service-I. APHC vide his letter dated 24.02.2023 has informed that the mentioned writ petitions came up for hearing on 24.02.2023 and the Hon'ble High Court was pleased to dispose off the WPs by impose default case concluding the inquiry within 6 months, otherwise the charges will be quashed.

8. And whereas, in the Act., 7th read above, it was ordered that " the Tribunal constituted under the repealed Act shall stand abolished and all cases pending before the said Tribunal for Disciplinary peoceedings on the said date shall stand transferred to the Commissionerate of Inquiries (CoI) to continue the pending proceedings and shall be disposed off by it in accordance with the statutory rules governing conduct of the disciplinary proceedings in due compliance with principles of natural justice".

9. Whereas the Government have issued orders of procedure in respect of the cases pending before the TDP and allotted/transferred to same the Commissioner of Inquiries vide reference 8th read above.

10. Accordingly, the above case of Sri Ch.Tirupathi Naidu, P&E Inspector, Ranasthalam and 12 other P&E officials, Srikakulam District has been allotted/entrusted to Sri R.P.Thakur, IPS (Retd), Member, Commissioner of Inquiries, to enquire into the charges framed against charged officers vide 8th read above.

11. Government after careful examination of the matter, hereby to place the following charged officers only on their defence before the Commissioner of inquiries for their involvement in the liquor syndicate case of srikakulam District:

Sl. No.	Name of the Accused Officer Sarvasri	Designation	Place	A.O. No.	TEC No.
1	Ch.Tirupathi Naidu	P&E Inspector	Ranasthalam	8	202/2013
2	T.Srinivasa Rao	P&E Superintendent	Srikakulam	11	204/2013
3	K.Balarama Krishna	P&E Superintendent	Srikakulam	12	205/2013
4	S.V.V.N.Babjirao	P&E Superintendent	Srikakulam	14	207/2013
5	P.Papa Rao	P&E Inspector	Kotabommali	15	208/2013
6	S.Venkata Ramanamurthy	P&E Sub-Inspector	Srikakulam	16	209/2013

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7	B.Varaha Nagabhushana Rao	P&E Sub-Inspector	Palasa	17	210/2013
8	C.Murali Babu	P&E Head Constable	Srikakulam	24	212/2013
9	S.Gowru Naidu	P&E Head Constable	Srikakulam	25	213/2013
10	G.Papa Rao	Asst.Manager, IML Depot	Etcherla	26	214/2013

12. Now, therefore the disciplinary authority in exercise of the powers conferred by sub-rule (2) of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules,1991, hereby appoint Sri R.P.Thakur, IPS (Retd), Member, Commissioner of Inquiries, as Inquiry Officer to enquire into the charges framed against Sri Ch.Tirupathi Naidu, P&E Inspector, Ranasthalam and 9 other P&E officials, Srikakulam District mentioned at para 10 above, for their involvement in Liquor Syndicate case and he is directed to complete the enquiry within 4 months (keeping ion view of the directions of the Hon'ble High Court in the writ petitions filed by the certain charged officers) and furnish the Inquiry Report to the Government for taking further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri R.P.Thakur, IPS(Retd), Member, Commissioner of Inquiries, General Administration (COI) Department, AP Secretariat Building No.5, Velagapudi (with enclosures i.e. the record of the case which is received from the TDP).

Copy to:
Sri Ch.Tirupathi Naidu, P&E Inspector, Ranasthalam and (11) other P&E officials, Srikakulam District (Through the Commissioner of Prohibition and Excise, Andhra Pradesh, Vijayawada)
The Commissioner of Prohibition and Excise, Andhra Pradesh, Vijayawada
The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi, Guntur District.
The Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada.
The General Administration (COI) Department, A.P.Secretariat, Building No.5, Velgapudu, Guntur District.
The GP for Services-1, APHC, Amaravathi
Sri K.Pridhvi Raj, Advocate & PP Gr-I (Rtd.) & Presenting Officer
SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER